08-01789-cgm Doc 733-2 Filed 11/12/09 Entered 11/12/09 17:14:30 Exhibit B. Customer Claim Pg 1 of 17

EXHIBIT B

AMENDED C	CUSTOME	R CLAIM	

Claim Number
Date Received

None

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

		III i	Liquidai	.1011			
(Please	print	DECEN or type)	/IBER 1	1, 2008			
	_	** /					
		tomer: Lewis R. Franck			<u>.</u>		
City: N		ress: 340 East 74th Street,	#4F State:	NY	Zip:	10021	
Accoun				111	_ z.p	10021	
Taxpay	er I.D	. Number (Social Security N	To.):				
****	SH PR RE RE SU LE	E ACCOMPANYING INSTR OULD BE FILED FOR EA OTECTION AFFORDED UN CEIVED BY THE TRUSTE CEIVED AFTER THAT DAT BJECT TO DELAYED PROC SS FAVORABLE TO THE CL RTIFIED MAIL - RETURN RE	CH AC DER SII E ON (E, BUT CESSING AIMANT	COUNT AND, PA, ALL CUST OR BEFORE M ON OR BEFORE AND TO BEIN T. PLEASE SEN REQUESTED.	TO REG OMER C March 4 RE July IG SATIS ID YOUR	CEIVE THE CLAIMS MUS , 2009. CL 2, 2009, WIL SFIED ON TE	FULL ST BE AIMS L BE ERMS
1.	Cla	m for money balances as o	of Dece	mber 11, 2008	:		
	a.	The Broker owes me a C	redit (C	r.) Balance of	\$	0	
	b.	I owe the Broker a Debit	(Dr.) Ba	lance of	\$	0	
	C.	If you wish to repay the D	ebit Ba	lance,	-		
		please insert the amount]		
		attach a check payable to	_				
		Trustee for Bernard L. Ma	_		•	C "	
						.0.	
		If you wish to make a pay	ment, I	i illust be enc			
		with this claim form.			\$_		

502180406

If balance is zero, insert "None."

1

d.

2. Claim for securities as of **December 11, 2008**:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

	-	YES	NO
a.	The Broker owes me securities	X	
b.	I owe the Broker securities		X
c.	If yes to either, please list below:		
			of Shares or ount of Bonds
Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	r I Owe the Broker (Short)
See Nov. 30, 2	2008 ZA44 <u>0</u> statements, attached hereto as Exhibi	t A.	
\$1,152,750.21	(market value of securities long, per ZA440-3 s	statement)	
39,600.00	(market value of securities short, per ZA440-4	statement)	
(55,920.00)	(market value of securities short, per ZA440-4	statement)	
\$1,136,430.21			
	b. c. Date of Transaction (trade date) See Nov. 30, 2 \$1,152,750.21 39,600.00 (55,920.00)	b. I owe the Broker securities c. If yes to either, please list below: Date of Transaction (trade date) Name of Security See Nov. 30, 2008 ZA440 statements, attached hereto as Exhibit \$1,152,750.21 (market value of securities long, per ZA440-3 statements) attached hereto as Exhibit (55,920.00) (market value of securities short, per ZA440-4 (55,920.00) (market value of securities short)	a. The Broker owes me securities b. I owe the Broker securities c. If yes to either, please list below: Number Face Amount

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor. See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

502180406 2

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

		YES	<u>NO</u>
3.	Has there been any change in your account since December 11, 2008? If so, please explain.		X
4.	Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?		X
5.	Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	····	X
6.	Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	•	X
7.	Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.		X
8.	Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.		X
9.	Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.		<u> </u>
,	Please list the full name and address of anyone ass preparation of this claim form: Christopher Van De Ki One William Street, New York, NY 10004		

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY

INFORM	MATION AND BELIEF.		
Date	7/2/2009	Signature A Hum	
Date		Signature	

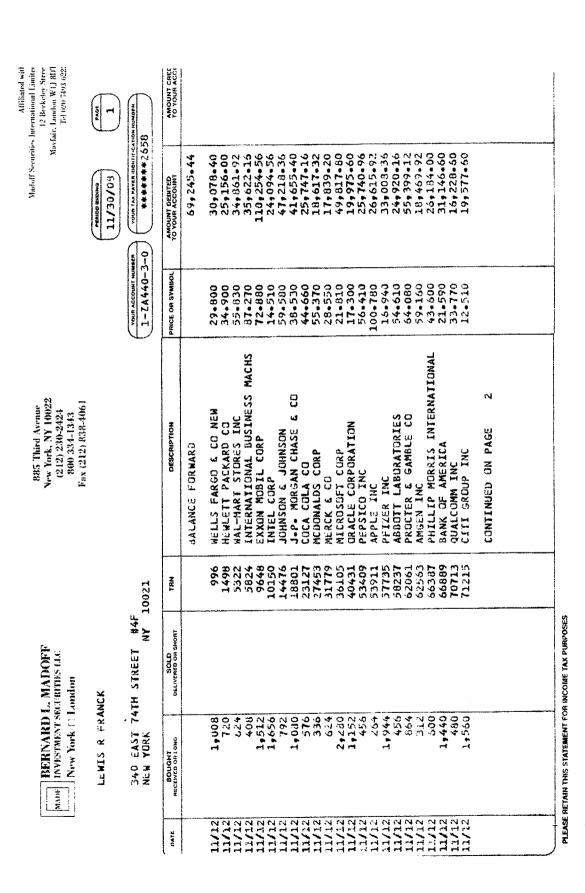
(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

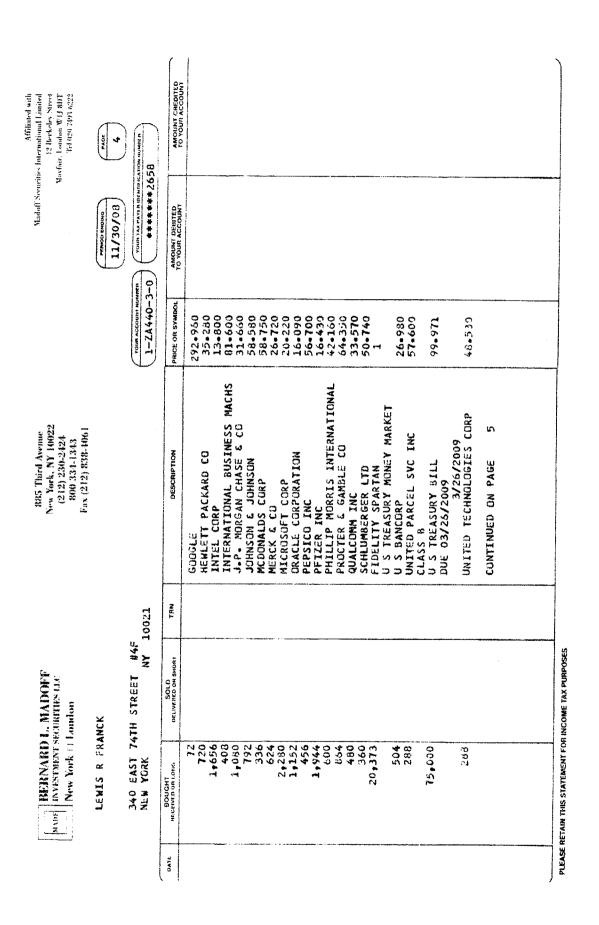
08-01789-cgm Doc 733-2 Filed 11/12/09 Entered 11/12/09 17:14:30 Exhibit B. Customer Claim Pg 6 of 17

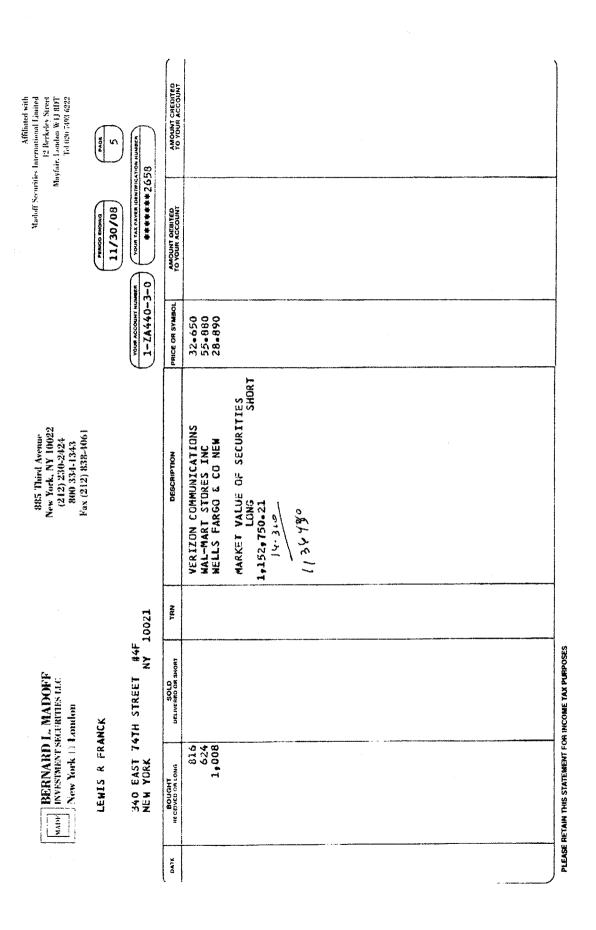
EXHIBIT A

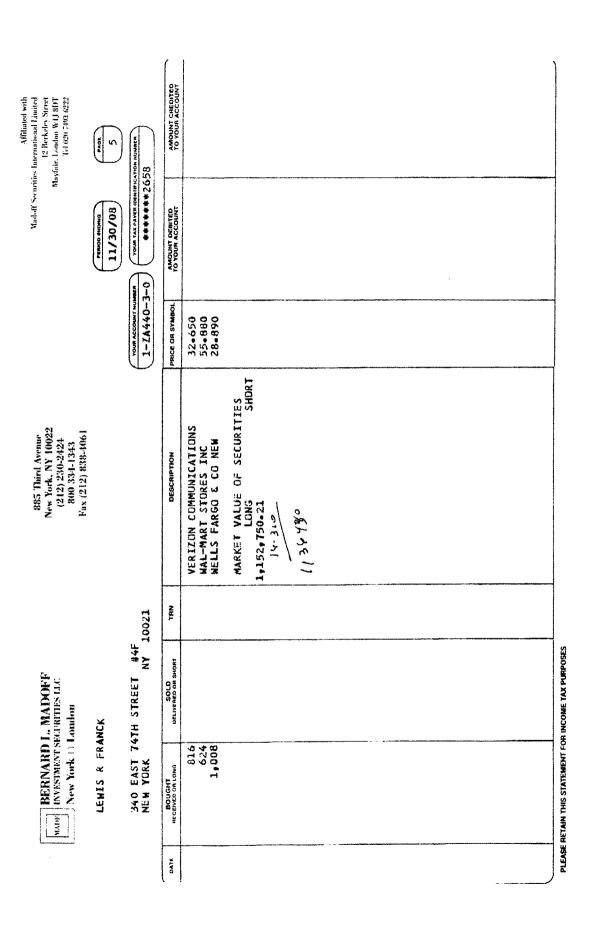


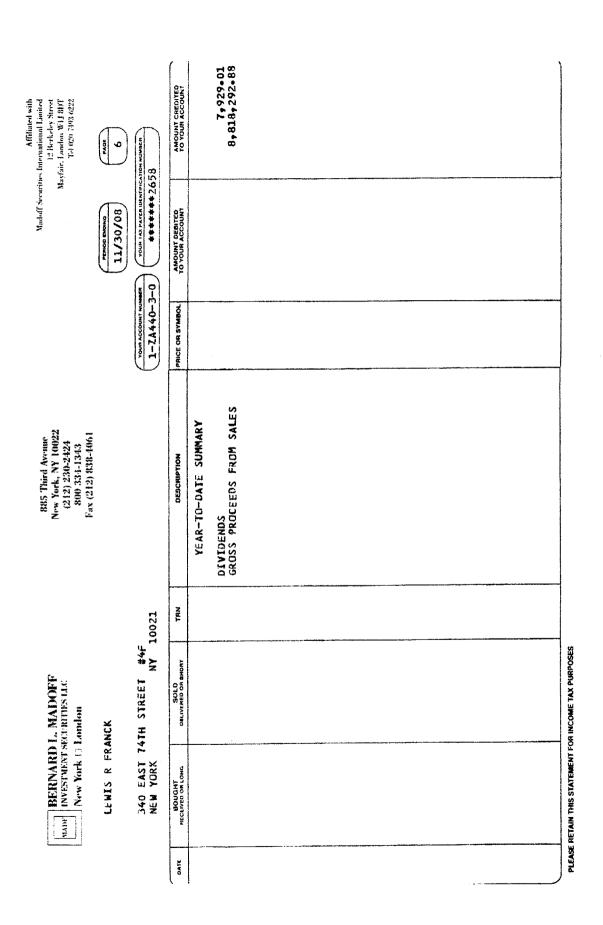
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LEWIS R FRANCK	MCK		Fax (212) 838-4061		11/30/08	rkar 2
340 EAST 74 NEW YORK	74TH STREET #4F NY 1	10021		1-24440-3-0	VOID TANKE ANTERCHIESTON HONDERFT	1600 MISSELLER
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712 456		83691	UNITED PARCEL SVC INC	52-040	14,998.54	
		84193	CLASS B CLSCO SYSTEMS INC	16-730	29,380,96	
504		98017	U S SANCURP	29=530	44,082,00	
		38519	CHEVRON CORP.	53-160	15,321.03	
		92343	GENERAL ELECTRIC CO	19.630	59,953-24	
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1/12 23,410	7	23074	TIDELLI STANIAN			
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11.15			U S TREASURY MUNEY MARKET DIV 11/19/08			
			CONTINUED ON PAGE 3			

Affiliated with Madoff Securities International Limited 12 Berkeley Street Mayfair, London W. J. BDF Fel 029 7493 6222	3	**************************************	AMOUNT CREDITED TO YOUR ACCOUNT		00•	+9•	
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		1-24440-3-0	PRICE OR SYMBOL	1 99.926	H		MKT PRICE 28-550 52-390 52-390 16-390 16-250 16-550 16-550 17-340 17-340 17-170
885 Third Avenue New York, NY 10022 (212) 230-2424 800 334-1343 Fax (212) 838-1064			DESCRIPTION	FIDELITY SPARTAN U.S. TREASURY MONEY MARKET U.S. TREASURY BILL.	OUE 03/26/2009 3/26/2009 FIDELITY SPARTAN U S TREASURY MONEY MARKET	NEW BALANCE	SECURITY POSITIONS ATET INC ABBOTT LABORATORIES AMGEN INC BAPPLE INC BAPR GF AMERICA CHEVON CORP CISCO SYSTEMS INC CITI GROUP INC COMCAST CORP CL A COMCAST CORP CL A CONGCOPHILIPS EXXON MOBIL CORP GENERAL ELECTRIC CO
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BERNARD L. MADOFF INVESTMENT SECHIFIES LLC New York () London	INCK	74TH STREET #4F	SOLD Drinered on shont	23,410			
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			DATE	91/11	11/18		









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17021 1708	LEWIS R FRANCK					11/30/03	ndar 1
TRIN DESCRIPTION PRICE OF SYMBOL TAYOURT COCOUNTY	74TH STREET N	#4F NY 1(0021)	1-ZA440-4-	<u></u>	Trok NUMBER
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MARKET VALUE OF SECURITIES LDNG SHORT 39,600.00 37,600.00 27,600.00	24 24			SECURITY POSITIONS S E P 100 INDEX DECEMBER 430 CALL S E P 100 INDEX DECEMBER 420 PHT	MKT PRICE 23.300 16.500		
				MARKET VALUE OF SECURITIES LONG 39,600.00 29,60.00			
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EXHIBIT B

Lewis R. Franck Account No. ZA440

EXHIBIT B

- 1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
- 2. The information provided in the Claim Form is based on information provided in the Claimant's latest Madoff account statement and any additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
- 3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law or equity.
- 4. The Claimant hereby requests that the Claim Form additionally be considered as a proof of claim, as a general creditor or otherwise, in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
- 5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by applicable law, the Claimant does not, by submitting the Claim Form, consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
- 6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
- 7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.

Lewis R. Franck Account No. ZA440

- 8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
- 9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.
- 10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
- 11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not to be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
- 12. To the extent the BMIS account for which this Claim Form is submitted contains or purports to contain funds from a "predecessor" or other BMIS account, the Claimant reserves all rights, claims, and defenses as to any such predecessor or other BMIS account. To the extent necessary or appropriate, this Claim Form is likewise submitted as a claim for and on behalf of any such predecessor or other BMIS account.
- 13. The Claimant submits herewith documents in support of the Claimant's claim, including documents containing information regarding account transactions, such as contributions and/or withdrawals. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents, if deemed necessary.